

REMARKS**STATUS OF CLAIMS**

Claims 17-21, 23, and 45-47 were pending in the application. Claim 17, 20, 23, and 45 have been amended, claims 18, 21, and 46 have been cancelled while no new claims have been added. Therefore, claims 17, 19-20, 23, 45, and 47 are pending and are submitted for reconsideration.

PRIOR ART REJECTION UNDER 35 USC § 103

In the office action, claims 17-21, 23, and 45-47 were rejected under 35 USC § 103 as being obvious over U.S. Patent Number 6,202,211 to Williams, Jr. (hereafter “Williams”) in view of the publication titled *Virtual Network Computing* to Richardson *et al.* (hereafter “Richardson”). Applicants respectfully traverse this rejection with respect to the pending claims for at least the following reasons.

Independent claim 17 recites a remote computing server system for efficiently transmitting display elements (generated by a program on the server) on a compressed video stream. An analysis module compares the original display elements with a set of predefined display elements stored at the server, wherein responsive to transmission bandwidth limitations that are identified by the server, the analysis module selects corresponding modified display elements from the set of predefined display elements that are most similar to one or more of the original display elements.

Independent claim 17 further recites a server that generates a set of predefined display elements of a user interface and stores the set in a table in compressed form, wherein the stored predefined display elements comprise display elements of three or more types of display elements from a group consisting of background, menu, button,

Type of Response: Amendment
Application Number: 09/770769
Attorney Docket Number: 150824.02
Filing Date: 25 January 2001

icon or font display elements, wherein the server, executes a plurality of programs, each of which generates a set of display commands which represent original display elements of a user interface for each of said plurality of programs. At least these recited features are not disclosed or taught by the applied references. See, for example, pages 51-52 of the specification for support for the amended features recited in claim 17.

In contrast to these recited features, Williams discloses a server that provides television signals to a plurality of viewing systems on a network. (Williams, col. 1, lines 59-61). The server maintains a number of active desktops (user work areas provided by a graphical user interface), for each of its clients. (Williams, col. 3, lines 34-36). Williams maps the server processes to corresponding desktops and then these desktops are mapped to user interface channels. (Williams, col. 8, lines 24-27). Thus, Williams discloses transmitting graphical desktops to clients through user interface channels, *without* using any pre-stored compressed graphical elements (stored in a table). Hence, Williams fails to disclose “a server for generating a set of predefined display elements of a user interface and for storing the set in a table in compressed form, wherein the stored predefined display elements comprise display elements of three or more types of display elements comprising background, button, menu or font display elements.

Neither does Richardson cure these deficiencies in Williams. Specifically, Richardson discloses a virtual network computing (VNC) server that allows a single desktop to be accessed by multiple clients. (Richardson, page 33, ¶ 2). The VNC server uses various encoding schemes for drawing user interface components. The VNC server selects an appropriate encoding scheme according to the capabilities of the server and client and the network connection between them. (Richardson, page 35, ¶ 6). However, Richardson does not disclose “predefined display elements of a user interface and for storing the set in a table in compressed form” nor “three or more types of display elements comprising background, button, menu or font display elements” stored in compressed form. Therefore, the office action fails to make a *prima facie* case of obviousness with respect to the pending independent claim 17.

Type of Response: Amendment
Application Number: 09/770769
Attorney Docket Number: 150824.02
Filing Date: 25 January 2001

It should be noted that the Patent Office (PTO) has the burden of proving each of the claimed features is shown by the prior art. An allegation that claimed subject matter is “obvious” (as here alleged) requires a positive, concrete teaching in the prior art, such as would lead a person skilled in the art to choose the claimed combination from among many that might be comprehended by broad prior art teachings. The PTO’s review court has made it very clear that silence in a reference is hardly a substitute for clear and concrete evidence from which a conclusion of obviousness might justifiably flow. See, e.g., *Application of Burt*, 356 F.2d 115, 121 (CCPA 1966).

Independent claims 20 and 45 are also patentable for reasons that are similar to that discussed above with respect to independent claim 17. Accordingly, these independent claims are also believed to be patentable over the applied prior art.

Specifically, **independent claim 20** recites, *inter alia*, generating, at a server computer, a set of predefined display elements of a user interface and storing the set in a table in compressed form, wherein the stored predefined display elements comprise display elements of three or more types from a group consisting of background, menu, button, icon or font display elements. As discussed earlier herein with respect to claim 17, these recited features are not disclosed or suggested by the applied references. Accordingly, independent claim 20 is patentable over the cited references.

Independent claim 45 recites, *inter alia*, generating, at a server computer, a set of predefined elements of a user computer and storing the set in a table in compressed form, wherein the stored predefined display elements comprise display elements of three or more from a group consisting of background, menu, button, icon or font display elements. As discussed earlier herein with respect to claim 17, these recited features are not disclosed or suggested by the applied references. Accordingly, independent claim 45 is patentable over the cited references.

DEPENDENT CLAIMS

The dependent claims are deemed to be patentable at least based on their dependence from allowable independent claims. In addition, they recite patentable subject matter when considered as a whole.

REPLY TO RESPONSE TO ARGUMENTS

It appears that office action is using a “broadest interpretation” standard to find the recited features in the applied combination of Williams and Richardson rather than a broadest *reasonable* interpretation. Most of the explanation on pages 2-4 of the office action appears to be the examiner’s interpretation and extension of the teachings of the applied references rather than the teachings of the prior art references themselves from the perspective of one skilled in the art at the time of the invention. It is also quite clear from the explanation that the disclosure of Williams and Richardson is quite different from the features recited in the pending independent claims when interpreted reasonably (even under the broadest reasonable interpretation standard used for examination purposes).

Furthermore, none of the specific features recited in the pending amended independent claims are disclosed by the applied references. In addition, these features are not just a random agglomeration of features but provide for synergies when a remote computing server system with a server that provides remote client access to one or more programs that are run at the server, remotely from one or more client systems, and in which the server converts display commands generated from the one or more programs into compressed video streams. Neither the specific features nor its synergies is taught or suggested by the applied references. Accordingly, applicants respectfully submit that the pending independent claims are in condition for allowance over the art of record.

Type of Response: Amendment
Application Number: 09/770769
Attorney Docket Number: 150824.02
Filing Date: 25 January 2001

CONCLUSION

Accordingly, applicant submits that the application is now in condition for allowance and an indication of the same is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' representative at the telephone number listed below.

If this Amendment is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
Microsoft Corporation

Date: October 8, 2007

By: /Aaron C. Chatterjee/

Aaron C. Chatterjee
Reg. No. 41,398
Attorney for Applicants
Direct telephone (425) 706-7453
Microsoft Corporation
One Microsoft Way
Redmond WA 98052-6399

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

October 8, 2007

Date

/Kate Marochkina/

Signature

Kate Marochkina

Type or Print Name

Type of Response: Amendment
Application Number: 09/770769
Attorney Docket Number: 150824.02
Filing Date: 25 January 2001